

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

EXITEXCHANGE CORP., a Texas
corporation

Plaintiff,

vs.

KAYAK SOFTWARE CORPORATION, a
Delaware corporation

Defendant.

Civil Action No.: 2:13-cv-00397-JRG
Consolidated into

Civil Action No.: 2:13-cv-00396-JRG

JURY TRIAL DEMANDED

**ORDER OF DISMISSAL WITH PREJUDICE
OF DEFENDANT KAYAK SOFTWARE CORPORATION**

Pursuant to Fed. R. Civ. P. 41, IT IS HEREBY ORDERED, ADJUDGED AND
DECREED as follows:

1. This Court has personal jurisdiction over ExitExchange Corp. (“ExitExchange”) and KAYAK Software Corporation (“KAYAK”), and over the subject matter of this action.

2. Each claim made and that could have been made by ExitExchange against KAYAK, and each counterclaim made and that could have been made by KAYAK against ExitExchange, in this action is hereby dismissed with prejudice pursuant to Fed. R. Civ. P. 41.

3. Each party shall bear its own costs and attorneys’ fees.

4. ExitExchange’s claims against the other defendants in this action shall remain pending.

5. The Court shall retain jurisdiction over this matter to insure that the terms and conditions of the parties’ settlement agreement are honored and enforced.